

DOLL AMIR & ELEY LLP

**DOLL AMIR & ELEY LLP**  
Hunter R. Eley (SBN 224321)  
Hemmy So (SBN 259374)  
1888 Century Park East, Suite 1850  
Los Angeles, California 90067  
Tel: 310.557.9100  
Fax: 310.557.9101  
E-mail: HEley@dollamir.com  
HSo@dollamir.com

Attorneys for Defendant  
CAPITAL ONE BANK (USA), N.A.

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

DEON L. THOMAS Pro Se

Plaintiff,

v.

BLEIER & COX LLP, NCO  
FINANCIAL SYSTEMS, INC.,  
CAPITAL ONE aka CAPITAL ONE,  
NATIONAL ASSOCIATION, CAPITAL  
ONE FINANCIAL CORP., CAPITAL  
ONE BANK (USA), N.A.  
("COBUSANA"), and DOES 1 through  
10,

Defendants.

Case No. CV11-04428 AHM (OPx)

**EXHIBITS TO DECLARATION OF  
HUNTER R. ELEY IN SUPPORT OF  
DEFENDANT CAPITAL ONE BANK  
(USA), N.A.'S OPPOSITION TO  
PLAINTIFF'S MOTION FOR  
DEFAULT JUDGMENT**

Date: August 22, 2011  
Time: 10:00 a.m.  
Judge: Hon. A. Howard Matz

# **EXHIBIT 1**

Deon L. Thomas, Pro Se  
 14626 Red Gum St.  
 Moreno Valley, CA 92555  
 (951) 413-9071  
 dlthomas32@gmail.com

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

Deon L. Thomas

CASE NUMBER

PLAINTIFF(S)

Defendant Bleier and Cox LLP v. Co-Defendant NCO Financial  
 System Inc., Capital One, aka, Capital One, National Association  
 Capital One Financial Corp., Capital One Bank (USA), N.A.,  
 Capital One Bank (USA), N.A. (Co-Defendants)

DEFENDANT(S)

NOTICE AND ACKNOWLEDGMENT OF  
 RECEIPT OF SUMMONS AND COMPLAINT  
 (For use with State Service only)

To: Hunter R. Eley Attorney of Record has been copied this  
*Summons and Complaint*

The summons and complaint served herewith are being served pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure and Section 415.30 of the California Code of Civil Procedure.

You may complete the acknowledgment part of this form and return the completed form to the sender within twenty (20) days.

If you are served on behalf of a corporation, unincorporated association including a partnership, or other entity, you must indicate under your signature your relationship to that entity and your authorization to receive process for that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate your authority under your signature.

IF YOU DO NOT complete and return the form to the sender within twenty (20) days, you (or the party on whose behalf you are being served), may be required to pay any expenses incurred in serving a summons and complaint in any other manner permitted by law.

IF YOU DO complete and return this form, you (or the party on whose behalf you are being served), must answer the complaint within the time provided in Rule 12 of the Federal Rules of Civil Procedure or judgment by default may be taken against you for the relief demanded in the complaint.

I declare, under penalty of perjury, that this Notice and Acknowledgment of Receipt of Summons and Complaint was mailed on 6-30-2011.

Deon L. Thomas Pro Se, without prejudice  
 Signature of Sender

ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT

(To be completed by recipient)

I declare under penalty of perjury, that I received a copy of the summons and complaint in the above-captioned matter at

1888 Century Park East, Ste. 1850 on JUNE 30, 2011  
LOS ANGELES, CA 90067 Address Date

Hunter R. Eley  
 Signature  
Attorney for Defendant Capital One  
 Relationship to Entity/Authority to Receive Service of Process

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the County of Los Angeles, State of California. I am over  
4 the age of 18 years and not a party to the within action. My business address is **1888  
Century Park East, Suite 1850, Los Angeles, California 90067.**

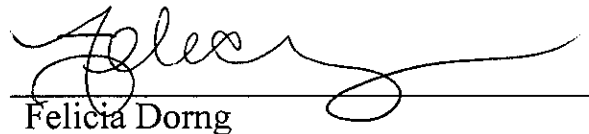
5 On July 6, 2011, I served the foregoing document described as **NOTICE AND  
6 ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT** on  
the interested parties in this action by placing the original and/or a true copy thereof  
enclosed in (a) sealed envelope(s), addressed as follows:

7 **SEE ATTACHED SERVICE LIST**

- 8 ☒ **BY REGULAR MAIL:** I deposited such envelope in the mail at 1888 Century  
9 Park East, Suite 1850, Los Angeles, California. The envelope was mailed with  
10 postage thereon fully prepaid. I am "readily familiar" with the firm's practice of  
collection and processing correspondence for mailing. It is deposited with the  
11 U.S. Postal Service on that same day in the ordinary course of business. I am  
aware that on motion of the party served, service is presumed invalid if postal  
12 cancellation date or postage meter date is more than one (1) day after date of  
deposit for mailing in affidavit.
- 13 ☐ **BY FACSIMILE MACHINE:** I transmitted a true copy of said document(s) by  
14 facsimile machine, and no error was reported. Said fax transmission(s) were  
directed as indicated on the service list.
- 15 ☐ **BY OVERNIGHT DELIVERY:** I caused such documents to be delivered  
16 overnight via an overnight delivery service in lieu of delivery by mail to the  
addressees. The envelope or package was deposited with delivery fees thereon  
17 fully prepaid.
- 18 ☒ **BY ELECTRONIC MAIL:** I transmitted a true copy of said document(s) via  
19 electronic mail, and no error was reported. Said email was directed as indicated  
on the service list.
- 20 ☐ **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand  
to the above addressee(s).

21 I declare that I am employed in the office of a member of the Bar of this Court,  
22 at whose direction the service was made. I declare under penalty of perjury under the  
laws of the State of California that the foregoing is true and correct.

23 Executed on July 6, 2011, at Los Angeles, California.

24   
25 Felicia Dorn  
26  
27  
28

DOLL AMIR & ELEY LLP

**SERVICE LIST**

Deon L. Thomas  
14626 Red Gum Street  
Moreno Valley, CA 92555

T: (951) 413-9071  
F: (951) 242-7015  
Dlthomas32@gmail.com  
*Plaintiff in Pro Se*

DOLL AMIR & ELEY LLP

## **EXHIBIT 2**

## Hemmy So

---

**From:** Hunter Eley [HEley@Dollamir.com]  
**Sent:** Tuesday, July 12, 2011 2:11 PM  
**To:** deon thomas`; deon thomas`  
**Cc:** Hemmy So; Hemmy So  
**Subject:** RE: Thomas v. Bleier & Cox LLP, et. al.,

Mr. Thomas,

Thank you for following up with me on this matter. I have been unable to take your calls, as I had filing deadlines the last two days. I have copied my colleague Hemmy So on this email, as she will be working with me on this case. One of us will be back in touch with you shortly.

Best regards,

Hunter R. Eley  
Doll Amir & Eley LLP  
1888 Century Park East,  
Suite 1850  
Los Angeles, CA 90067  
Tel: (310) 557-9100  
Fax: (310) 557-9101  
<http://www.dollamir.com>

---

**From:** deon thomas` [<mailto:dlthomas32@gmail.com>]  
**Sent:** Tuesday, July 12, 2011 12:28 PM  
**To:** Hunter Eley  
**Subject:** Thomas v. Bleier & Cox LLP, et. al.,

Mr. Eley,

I have attempted to contact you several times yesterday. We must remember to keep open communication with each other, this process can go smoothly if we allow it to. I will be available to talk with you today, if you are open for a conversation regarding this matter, please give me a call.

Deon L. Thomas  
951-413-9071

**PROOF OF SERVICE****STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is **1888 Century Park East, Suite 1850, Los Angeles, California 90067.**

On August 1, 2011, I served the foregoing document described as **EXHIBITS TO DECLARATION OF HUNTER R. ELEY IN SUPPORT OF DEFENDANT CAPITAL ONE BANK (USA), N.A.'S OPPOSITION TO PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT** on the interested parties in this action by placing the original and/or a true copy thereof enclosed in (a) sealed envelope(s), addressed as follows:

**SEE ATTACHED SERVICE LIST**

- ☐ **BY REGULAR MAIL:** I deposited such envelope in the mail at 1888 Century Park East, Suite 1850, Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.
- ☐ **BY FACSIMILE MACHINE:** I transmitted a true copy of said document(s) by facsimile machine, and no error was reported. Said fax transmission(s) were directed as indicated on the service list.
- ☒ **BY OVERNIGHT DELIVERY:** I caused such documents to be delivered overnight via an overnight delivery service in lieu of delivery by mail to the addressees. The envelope or package was deposited with delivery fees thereon fully prepaid.
- ☐ **BY ELECTRONIC MAIL:** I transmitted a true copy of said document(s) via electronic mail, and no error was reported. Said email was directed as indicated on the service list.
- ☐ **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand to the above addressee(s).

I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 1, 2011, at Los Angeles, California.

*/s/ Felicia Dornig*

Felicia Dornig

DOLL AMIR & ELEY LLP



**SERVICE LIST**

Deon L. Thomas  
14626 Red Gum Street  
Moreno Valley, CA 92555

T: (951) 413-9071  
F: (951) 242-7015  
Dlthomas32@gmail.com  
*Plaintiff in Pro Se*

DOLL AMIR & ELEY LLP